

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

TERRA PARTNERS; TERRA XXI, LTD.;
ROBERT WAYNE VEIGEL;
ELLA MARIE WILLIAMS VEIGEL;
VEIGEL FARMS, INC.; VEIGEL CATTLE
COMPANY; and VEIGEL FARM PARTNERS,
Plaintiffs,

v.

No. CV 16-1036 WPL/KK

AG ACCEPTANCE CORPORATION,
Defendant.

MOTION TO PERMIT WITHDRAWAL

Keleher & McLeod, PA (“Movant”), hereby requests permission to withdraw as counsel to plaintiffs Terra Partners, Terra XXI, Ltd., Robert Wayne Veigel, Ella Marie Williams Veigel, Veigel Farms, Inc., Veigel Cattle Company, and Veigel Farm Partners (“Plaintiffs”), pursuant to D.N.M. LR-Civ. 83.8, and in support thereof, states:

Introduction

Movant and the Plaintiffs are at an impasse as to how to proceed at this point of the litigation of this matter. The attorney client relationship between Movant and Plaintiffs has deteriorated as a result of irreconcilable differences of opinion and Movant respectfully requests that it be permitted to withdrawal as counsel in this matter.

Argument

This Motion complies with D.N.M. LR-CV. 83.8's requirements for opposed motions to withdraw. That rule does not require that Movant detail the reasons for withdrawal. To preserve client confidences, Movants have not detailed the reasons warranting their withdrawal but would certainly articulate those reasons, should the Court see fit, in a memorandum for the Court's *in camera* review. This Motion is based on New Mexico's Rules of Professional Conduct, applicable to proceedings in this Court pursuant to D.N.M. LR-Civ. 83.9, which permit and/or require a lawyer's withdrawal from representation of clients under certain circumstances. Good cause for withdrawal exists under the circumstances.

This Motion is opposed by Defendant AAC. Plaintiffs also oppose this motion. In accordance with D.N.M. LR-Civ. 83.8(b), this Motion is being served on Plaintiffs. Plaintiffs are hereby advised that objections to this Motion must be served and filed within fourteen (14) days from date of service of the Motion. Failure to object within that time constitutes consent to grant the Motion. Because some of the Plaintiffs are not natural persons, notice is hereby provided that parties that are not natural persons can appear only with an attorney in proceedings before this Court. D.N.M. LR-Civ. 83.8.

WHEREFORE, Movant respectfully requests that it be permitted to withdraw from representing the Plaintiffs.

Respectfully submitted,
KELEHER & MCLEOD, P.A.

By: /s/ Justin B. Breen
Filed Electronically on November 28, 2016
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CERTIFICATE OF SERVICE

THIS HEREBY CERTIFIES that on November 28, 2016, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to the following CM/ECF participants:

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I hereby certify that the following parties were served a copy of the foregoing by regular mail and by email on November 28, 2016.

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/s/ Justin B. Breen

Justin B. Breen
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